UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. 2:16-cr-00256-JAD-GWF
VS.	ORDER
JIMMIE LOUIS POPE,	
Defendant.	
	_)

This matter is before the Court on Defendant's Emergency Motion for Release from Detention (ECF No. 30). The Court conducted a hearing in this matter on January 23, 2017.

During the January 23, 2017 hearing, the Court stated that it would consider temporarily releasing Defendant from custody so that he could attend his sister's funeral which is scheduled for Thursday, January 26, 2017 at 11:00 A.M. While not agreeing to such a release order, counsel for the Government stated that he would be less concerned by such a release order if Defendant was transported to and from the funeral by the United States Marshals. The Court entered an order allowing Defendant to be released from detention for a brief period to attend the funeral on condition that he be escorted to and from the funeral by Deputy or Assistant Marshals. The Court further stated:

If the U.S. Marshal Services does not believe it can transport the defendant to the funeral in the manner indicated above, it shall promptly advise the Court, defense, counsel, government's counsel and Pretrial Services.

Minutes of Proceedings (ECF No. 34).

The Marshals provided the Court with a copy of a USMS Policy Directive which states that "Prisoner attendance at funerals is strictly prohibited." There appear to be legitimate security and cost

1	concerns associated with producing prisoners to attend funerals. Because USMS policy prohibits
2	Marshals from escorting the Defendant to and from his sister's funeral as the Court authorized on
3	January 23, 2017, the Court's order is rescinded . The Court will conduct a follow-up hearing to further
4	consider whether it is appropriate to release the Defendant from detention to attend his sister's funeral
5	without Marshal escort.
6	IT IS SO ORDERED.
7	IT IS FURTHER ORDERED that this matter is placed on calendar for further hearing on
8	Wednesday, January 25, 2017 at 9:00 AM in Courtroom 3A.
9	DATED this 24th day of January, 2017.
10	M (a)
11	GEORGE FOLEY, JR.
12	United States Magistrate Judge
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